

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:21-cv-00342

Patrick Russell,
Plaintiff,

v.

Unknown Garcia et al.,
Defendants.


ORDER

On August 30, 2021, plaintiff Patrick Russell, proceeding pro se, filed this civil-rights lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b). Doc. 2.

On August 31, 2021, the magistrate judge instructed plaintiff to either pay the \$402 filing fee or submit an application to proceed *in forma pauperis*, along with a certified *in forma pauperis* data sheet within thirty days of receipt of the order. Doc. 3. Plaintiff failed to do so. On November 19, 2021, the magistrate judge entered a report recommending that plaintiff's case be dismissed without prejudice for want of prosecution and failure to obey an order. Doc. 5. No objections have been filed.

When no party objects to the magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report and being satisfied that the report contains no clear error, the court accepts the findings and conclusions of the report. Accordingly, the complaint is dismissed without prejudice for failure to prosecute and for failure to comply with a court order.

So ordered by the court on March 16, 2022.



J. CAMPBELL BARKER
United States District Judge